

## 2009 DRAFTING REQUEST

### Assembly Amendment (AA-AB843)

Received: 03/25/2010

Received By: mshovers

Wanted: As time permits

Companion to LRB:

For: Louis Molepske Jr (608) 267-9649

By/Representing: Mary Mathias

May Contact:

Drafter: mshovers

Subject: State Govt - state bldg proj  
Buildings/Safety - bldg stndrds  
Local Gov't - counties  
Local Gov't - munis generally  
Education - miscellaneous

Addl. Drafters:

Extra Copies: EVM;

Submit via email: YES

Requester's email: Rep.Molepske@legis.wisconsin.gov

Carbon copy (CC:) to: Scott.Grosz@legis.wisconsin.gov  
Mary.Matthias@legis.wisconsin.gov

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Energy-efficient and environmental design for buildings

---

#### Instructions:

See attached

---

#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	mshovers 03/26/2010	kfollett 03/26/2010	jfrantze 03/26/2010	_____	cduerst 03/26/2010		
	pgrant 03/29/2010	nmatzke 03/29/2010		_____			
/1			rschluet 03/29/2010	_____	cduerst 03/29/2010	cduerst 03/29/2010	

FE Sent For:

<END>

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Addl. Drafters: pgrant  
rkite  
jkuesel

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/?							
/P1	mshovers 03/26/2010	kfollett 03/26/2010 /1 nwn 3/29	jfrantze 03/26/2010 3/29/10	_____	cduerst 03/26/2010	_____	_____

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Mary Mathias @  
Leg Council  
Scott.Grosz@legis.wisconsin.gov  
Mary.Mathias@legis.wisconsin.gov

Submit via email: YES

Requester's email: Rep.Molepske@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Energy-efficient and environmental design for buildings

Instructions:

See attached

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/?	mshovers	IPKf 3/26		Km 3/ J 26			

FE Sent For:

<END>

**Shovers, Marc**

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**From:** Matthias, Mary  
**Sent:** Thursday, March 25, 2010 2:45 PM  
**To:** Kuesel, Jeffery; Kite, Robin; Grant, Peter; Shovers, Marc  
**Cc:** Farnsworth, Kathy; 'gruder@engr.wisc.edu'; Grosz, Scott  
**Subject:** AB 843 amendment request  
**Attachments:** changes to AB 843.doc

Hello Jeff, Robin, Peter and Marc!

I just met with Rep. Molepske and he has requested a simple amendment to AB 843, which I described in the attached document.

He would like this quickly since he plans to exec the bill next Tuesday at 10 am.

Please let me know if you have any questions. There is one unresolved issue regarding local ordinances--please contact his office directly to find out if he's made a decision on that.

thanks-

Mary

*Mary Matthias*

Senior Staff Attorney

Wisconsin Legislative Council Staff

Ph.(608)266-0932;Fax (608)266-3830

### **Requested changes to AB 843**

(Simple amendment for Rep. Molepske)

1. Pg. 12, line 4: after “equivalent” add “or an equivalent rating system”. [I suppose you could also fix up the sentence to put a comma in place of the first “or”]

2. Pg 12, line 5: At the end of the line add the following: “Regardless of the system utilized, the use of wood-based materials and products from the Forest Stewardship Council (FSC), American Tree Farm System (ATFS), and Sustainable Forest Initiative (SFI) certification programs shall be recognized”. [Please fix this language as you see fit. The idea is to require a modification to the LEED rating system, or whatever system is used, to address some concern about use of tree products. This language was taken from Doyle’s Executive order 145, item #5 in the list of items appearing after the “Now therefore” clause. Molepske requested use of the same language that is in the Exec. order.[http://www.wisgov.state.wi.us/journal\\_media\\_detail.asp?locid=19&prid=1907](http://www.wisgov.state.wi.us/journal_media_detail.asp?locid=19&prid=1907)]

3. Pg. 16, line 12: delete the material beginning with “Upon” and ending with “level” on line 15.

4. Pg. 19, line 13: after “equivalent” add “or an equivalent rating system” [I suppose you could also fix up the sentence to put a comma in place of the first “or”]

5. Pg. 19, line 14: At the end of the line add the following: “Regardless of the system utilized, the use of wood-based materials and products from the Forest Stewardship Council (FSC), American Tree Farm System (ATFS), and Sustainable Forest Initiative (SFI) certification programs shall be recognized”.

6. Pg. 21, lines 12-14: POSSIBLY delete that new language. Rep. Molepske hasn’t decided yet.

7. Pg. 22, line 10: delete “the repair, renewal, or”.

8. Pg. 22, line 13: after “expansion” add “or addition”.

9. Pg. 22 line 13, delete everything after “building” and ending with the end of line 14 and replace it with the following: “that adds conditioned space that is equal in size to 50% or more of the existing building”.

**10. Make the same 3 changes in items 7, 8 and 9 above to the parallel provision for definition of major construction project for munis on pg. 16, lines 1-8.**

11. Pg. 22 line 17: delete the material beginning with “Upon” and ending with “level” on line 20.

12. Pg. 23, line 1: delete the material beginning with that line and ending with the end of line 3.

(END)



THIS A.M.

FMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO 2009 ASSEMBLY BILL 843**

1-1  
change  
component

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At the locations indicated, amend the bill as follows:

1. Page 12, line 4: delete "its current equivalent" and substitute "an equivalent performance level under an equivalent rating system".

2. Page 12, line 5: after "101.028." insert "Regardless of the rating system that is used, the use of wood-based materials and products from the Forest Stewardship Council, American Tree Farm System, or Sustainable Forest Initiative certification programs shall be recognized".

\*\*\*\*NOTE: This item is based on your instructions, but we're not sure what it means, so we're not sure whether it works. Do any of these entities actually produce and supply wood-base materials? This is what the language suggests.

Do you mean to say "Regardless of the rating system that is used, the use of wood-based materials and products from **forests certified** by the Forest Stewardship Council, American Tree Farm System, or Sustainable Forest Initiative certification programs shall be recognized." If this is not what you mean, please let us know what it is that you'd like this item to accomplish. And by whom should the use of wood-based materials be recognized?

1-7

- 1 **3.** Page 16, line 3: delete "repair," by or
- 2 **4.** Page 16, line 4: delete "renewal, or" by or for a political subdivision
- 3 **5.** Page 16, line 7: delete lines 7 and 8 and substitute "or for the expansion of,
- 4 or addition to, an existing public building that adds conditioned space that is equal
- 5 in size to at least 50 percent of the existing building."

\*\*\*\*NOTE: Here your instructions were to use the phrase "50% or more" which we've changed to "at least 50 percent" but earlier in par. (c), the phrase "more than 50 percent" is used. Was this inconsistency intentional?

2-5 →

- 6 **6.** Page 16, line 12: delete the material beginning with "Upon" and ending with
- 7 "level" on page 16, line 15.
- 8 **7.** Page 19, line 13: delete ~~in current~~ <sup>after</sup> "equivalent" and substitute <sup>insert</sup> "an
- 9 equivalent level <sup>performance under</sup> of an equivalent rating system".
- 10 **8.** Page 19, line 14: after "department." insert "Regardless of the rating system
- 11 that is used, the use of wood-based materials and products from the Forest
- 12 Stewardship Council, American Tree Farm System, or Sustainable Forest Initiative
- 13 certification programs shall be recognized."

change component

\*\*\*\*NOTE: See the note relating to page 12, line 5.

- 14 **9.** Page 21, line 8: delete lines 8 to 15.
- \*\*\*\*NOTE: Please let us know if you want this language restored.

- 15 **10.** Page 22, line 10: delete "repair, renewal, or".
- 16 **11.** Page 22, line 13: delete lines 13 and 14 and substitute "or for the
- 17 expansion of, or addition to, an existing public building that adds conditioned space
- 18 that is equal in size to at least 50 percent of the existing building."

\*\*\*\*NOTE: See the note relating to page 16, lines 7 and 8.

1

**12.** Page 22, line 17: delete the material beginning with "Upon" and ending

2

with "level" on page 22, line 20.

3

**13.** Page 23, line 1: delete lines 1 to 3.

4

3

(END)

(1-1)

#. Page 1, line 10 : after

"systems," insert "and" .

#. Page 1, line 11 : delete ", and

making an appropriation "

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

1-7

#. Page 15, line 17: delete lines 17 to 19

2-5

~~\*\*\*~~ NOTE: We ~~followed your instructions here,~~ refer  
~~but we~~ wonder whether the language should refer  
to <sup>gross</sup> gross square feet. In other words, should  
it read "or for the expansion of, or addition to,  
it read " or for the expansion of, or addition to,  
an existing <sup>public</sup> building that adds a number of  
gross square feet of conditioned space that is  
equal to at least 50 percent of the gross square  
feet of the existing building."

**Grant, Peter**

**From:** Sherrie Gruder [gruder@epd.engr.wisc.edu]  
**Sent:** Monday, March 29, 2010 6:47 AM  
**To:** Rep.Molepske  
**Cc:** Farnsworth, Kathy; Kuesel, Jeffery; Kite, Robin; Grant, Peter; Shovers, Marc; Sherrie Gruder  
**Subject:** Re: Draft review: LRB 09a1919/P1 Topic: Energy-efficient and environmental design for buildings  
**Importance:** High

**Please substitute the word changes below that also should answer your excellent questions embedded in draft amendment. Any amendments not addressed below were fine.**

**NOTE that 12 about the UDC needs to be answered by Rep. Molepske. Please contact me at 2-0398 with any questions this morning so as not to loose time.**

**Thank you all so much,**

**Sherrie**

3. Page 12, line 4: after "equivalent" insert "  
or equivalent green building rating systems at the same performance level
4. Page 12, line 5: after "101.028." insert "The DOA shall recognize the use of wood-based materials and products certified by the Forest Stewardship Council, American Tree Farm System, or Sustainable Forest Initiative certification programs."
8. Page 16, line 7: delete lines 7 and 8 and substitute "or for the expansion of,  
or addition to, an existing public building by or for a political subdivision that adds  
conditioned space that is equal in size to at least 50 percent of the gross square feet of the existing building."
10. Page 19, line 13: after "equivalent" insert "  
or equivalent green building rating systems at the same performance level,"
11. Page 19, line 14: after "department." insert "The DOA shall recognize the use of wood-based materials and products certified by the Forest Stewardship Council, American Tree Farm System, or Sustainable Forest Initiative certification programs."
12. Page 21, line 8: delete lines 8 to 15. REP MOLEPSKE WILL HAVE TO DECIDE ABOUT THE UNIFORM DWELLING CODE ISSUE.  
\*\*\*Note: Please let us know if you want this language restored.
14. Page 22, line 13: delete lines 13 and 14 and substitute "or for the expansion of,  
or addition to, an existing public building that adds  
conditioned space that is equal in size to at least 50 percent of the gross square feet of the existing building."

---

Sherrie Gruder, LEED Accredited Professional  
Sustainable Design Specialist, Distinguished Lecturer  
Energy Program Coordinator  
UW-Extension Solid & Hazardous Waste Education Center  
610 Langdon St., Rm 527  
Madison, WI 53703  
Phone: 608 262-0398; Fax: 608 262-6250  
email: [gruder@engr.wisc.edu](mailto:gruder@engr.wisc.edu)  
[www.shwec.uwm.edu](http://www.shwec.uwm.edu)

03/29/2010

[www.focusonenergy.com](http://www.focusonenergy.com)

An MPowering Madison Partner. Take the pledge by visiting [www.MpoweringMadison.com](http://www.MpoweringMadison.com)

On Mar 26, 2010, at 1:25 PM, Rep.Molepske wrote:

<09a1919P15c236760.pdf>



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa1919/B

JTK/RNK/MES/PG:kjf:jf

+nwn

NEW

DN

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~  
ASSEMBLY AMENDMENT,  
TO 2009 ASSEMBLY BILL 843

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 10: after "systems," insert "and".

3 2. Page 1, line 11: delete ", and making an appropriation".

4 3. Page 12, line 4: after "equivalent" insert ", or an equivalent performance  
5 level under an equivalent rating system,".

6 4. Page 12, line 5: after "101.028." insert "~~Regardless of the rating system that~~  
7 ~~is used,~~ the use of wood-based materials and products ~~from~~ <sup>The department shall recognize</sup> the Forest Stewardship  
8 Council, American Tree Farm System, or Sustainable Forest Initiative ~~certification~~ <sup>certified by</sup>  
9 programs ~~shall be recognized~~."

\*\*\*\*NOTE: This item is based on your instructions, but we're not sure what it means, so we're not sure whether it works. Do any of these entities actually produce and supply wood-based materials? This is what the language suggests.

Do you mean to say "Regardless of the rating system that is used, the use of wood-based materials and products from **forests certified** by the

~~Forest Stewardship Council, American Tree Farm System, or Sustainable Forest Initiative certification programs shall be recognized." If this is not what you mean, please let us know what it is that you'd like this item to accomplish. And by whom should the use of wood-based materials be recognized?~~

1 **5.** Page 15, line 17: delete lines 17 to 19.

2 **6.** Page 16, line 3: delete "repair,".

3 **7.** Page 16, line 4: delete "renewal, or".

4 **8.** Page 16, line 7: delete lines 7 and 8 and substitute "or for the expansion of,  
5 or addition to, an existing public building by or for a political subdivision that adds  
6 conditioned space that is equal in size to at least 50 percent of the existing building." ✓

*gross square feet  
of the*

~~\*\*\*NOTE: Here your instructions were to use the phrase "50% or more," which we've changed to "at least 50 percent," but earlier in par. (c), the phrase "more than 50 percent" is used. Was this inconsistency intentional?~~

~~\*\*\*NOTE: We wonder whether the language should refer to gross square feet. In other words, should it read "or for the expansion of, or addition to, an existing public building that adds a number of gross square feet of conditioned space that is equal to at least 50 percent of the gross square feet of the existing building."~~

7 **9.** Page 16, line 12: delete the material beginning with "Upon" and ending with  
8 "level." on line 15.

9 **10.** Page 19, line 13: after "equivalent" insert ", or an equivalent performance  
10 level under an equivalent rating system,"

11 **11.** Page 19, line 14: after "department." insert "Regardless of the rating  
12 ~~system that is used,~~ the use of wood-based materials and products ~~from~~ <sup>certified by</sup> the Forest  
13 Stewardship Council, American Tree Farm System, or Sustainable Forest Initiative  
14 ~~certification~~ programs ~~shall be recognized~~." ✓

*The department shall recognize  
certified by*

~~\*\*\*NOTE: See the note relating to page 12, line 5.~~

15 **12.** Page 21, line 8: delete lines 8 to 15.

~~\*\*\*NOTE: Please let us know if you want this language restored.~~

16 **13.** Page 22, line 10: delete "repair, renewal, or".

*gross square feet of the*

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**16.** Page 23, line 1: delete lines 1 to 3.

(END)

*D-note*

LRB 1919 /  
PG+RNK:nwn:

DN

Representative <sup>(Date)</sup> Mulepske: ✓

This amendment is based on changes  
requested by Sherrie Gruder. ✓  
Please note  
that we did not have enough time to ensure  
that the amendment accomplishes your objectives. ✓

If you have questions or need  
more information, please let one of  
us know. ✓

PG  
RNK

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1919/1dn  
PG/RNK:nwn:rs

March 29, 2010

Representative Molepske

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Managing Attorney  
Phone: (608) 267-3362  
E-mail: [peter.grant@legis.wisconsin.gov](mailto:peter.grant@legis.wisconsin.gov)

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
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